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PTO/SB/29 (12/97)

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11/28/00  
13867 U.S. PTO

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

|  |                   |             |    |
|--|-------------------|-------------|----|
| Attorney Docket No.                            | 6923-102-999      | Total Pages | 59 |
| First Named Inventor or Application Identifier |                   |             |    |
| Palese et al.                                  |                   |             |    |
| Express Mail Label No.                         | EL 501 635 613 US |             |    |

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form  
*Submit an original, and a duplicate for fee processing)*
2. ☒ Specification [Total Pages 51]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description of the Invention (including drawings, if filed)
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113) [Total Sheets 3]
4. ☐ Oath or Declaration [Total Sheets   ]
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)  
[Note Box 5 below]
  - i. ☐ DELETION OF INVENTORS(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
5. ☐ Incorporation By Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
14. ☐ Small Entity ☐ Statement filed in prior application,  
Statement(s) Status still proper and desired
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Other:

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:  
☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No: 09/322,286 filed June 11, 1999.

## 18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 20583 or ☐ Correspondence address below  
(Insert Customer No. or Attach bar code label here)

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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9-14-01  
M.L.

Express Mail No.: EL 501 636 123 US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application: 09/332,286 Examiner LankfordArt Unit 1651Assistant Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231JC893 U.S. PTO  
09/724419  
11/28/00

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/332,286, filed on June 11, 1999.

of PETER PALESE, ADOLFO GARCIA-SASTRE and ROBERT O'NEIL  
(inventor(s) currently of record in prior application)

for NOVEL METHODS AND INTERFERON DEFICIENT SUBSTRATES FOR THE PROPAGATION OF VIRUSES  
(title of invention)

1. ☒ The filing fee is calculated below:

## PATENT APPLICATION FEE VALUE

| TYPE  | NO. FILED | LESS | EXTRA | EXTRA RATE   | FEE       |
|---|-----------|------|-------|--------------|-----------|
| Total Claims  | 22        | -20  | 2     | \$18.00 each | \$ 36.00  |
| Independent   | 3         | -3   | 0     | \$80.00 each | \$ 0.00   |
| Basic Fee   |           |      |       |              | \$ 710.00 |
| Multiple Dependency Fee<br>If Applicable (\$270.00)   |           |      |       |              | \$ 0.00   |
| Total   |           |      |       |              | \$ 746.00 |
| 50% Reduction for Independent Inventor, Nonprofit Organization or Small<br>Business Concern |           |      |       |              | \$ 0.00   |
| Total Filing Fee  |           |      |       |              | \$ 746.00 |

2. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

3. ☒ Amend the specification by inserting before the first line the following sentence: This is a division, of application no. 09/332,286, filed on June 11, 1999.

- 4a. ☐ Transfer the drawings from the prior application to this application and abandon the prior application as of the filing date accorded this

application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

- 4b. ☐ New formal drawings are enclosed.
- 4c. ☐ Informal drawings are enclosed.
- 5a. ☐ Priority of application no. filed on in is claimed under 35 U.S.C. §119.
- 5b. ☐ The certified copy has been filed in prior application no. , filed .
- 6. ☐ The prior application is assigned of record to The Mt. Sinai School of Medicine of the City University of New York.
- 7a. ☒ The Power of Attorney appears in the original papers in the prior application no. 09/332,286, filed on June 11, 1999.
- 7b. ☐ Since the Power of Attorney does not appear in the original papers, a copy of the Power in prior application no. , filed is enclosed.
- 8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
- 9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
- 10. ☐ Additional enclosures or instructions.

Respectfully submitted,

*by: Jacqueline Benn*  
Reg No. 43,492

Date November 28, 2000

Laura A. Coruzzi 30,742  
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